

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73840 of 2024

Arising Out of PS. Case No.-389 Year-2023 Thana- TRIVENIGANJ District- Supaul

Mahendra Ram @ Mahendra Das @ Mahendra Ram Das Son of Late Rameshwar Das @ Late Ram Prasad Das @ Late Ram Prasad Ram Resident of Mirjawa, Ward No.- 08, P.S.- Triveniganj, District - Supaul, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ruben Das @ Rubendra Das Son of Rajdev Yadav Resident of Mirjawa, Ward No.- 08, P.S.- Triveniganj, District - Supaul, Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Indrajesh Kumar, Advocate
For the Opposite Party/s :	Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-10-2024 Heard the parties.

2. The petitioner is in custody in connection with Triveniganj P.S. Case No. 389 of 2023 for the offence punishable under sections 420, 406, 467, 468, 471, 323, 341, 384, 504 and 34 of the Indian Penal Code lodged on 01.10.2023 by the informant, Ruben Das.

3. As per the prosecution story, the informant alleged that on the basis of forged document claiming himself to be the son of earlier Mahant, the petitioner executed/embezzled around Rs. 30,00,000/- from the funds of Thakurbari. He further threatened the informant with dire consequences which led to the FIR.



4. Learned counsel for the petitioner submits that a title suit is already pending before the competent Court vide Title Suit No. 40 of 2023 relating to the land in question and to pressurize him, the present case.

5. Learned APP opposes the prayer for bail submitting that claiming himself to be the son of Rameshwar Das, the present petitioner has embezzled the fund of the Math.

6. Considering the aforesaid facts/submissions as also that a title suit is pending, the petitioner has remained in custody since 23.03.2024 (paragraph-15 of the petition) and do not have any criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM-I-cum-Sub Judge-I, Supaul, in connection with Triveniganj P.S. Case No. 389 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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